

REMARKS:

Claims 5-8, 11-17, 25, 26, 37, 38, 40-48, 50-57 and 59-64 are pending in the present application. Claims 7, 8, 13-17, 25, 26, 37, 38, 40-48, 50-57, 59 and 61-64 have been allowed. Claims 5, 6, 11, 12, 17, 25 and 60 presently stand rejected.

Personal Interview with the Examiner

Applicants hereby propose a personal interview with the Examiner. It would be appreciated if the Examiner calls the undersigned attorney to set up an interview schedule when this RCE case is ready for examination.

Claim Rejections pursuant to 35 U.S.C. §102(e)

Claims 5, 6, 11, 12, 17, 25 and 60 stand rejected pursuant to 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,774,812, to Hargrave al. (hereinafter referred to as "Hargrave"). Applicants traverse these rejections for at least the following reasons.

Hargrave is directed to a voting method that receives multiple redundant messages from multiple respective receivers and outputs a message. (Col. 3 lines 14-23) The messages are received by and output from a voter device. (Col. 3 lines 14-23) The message output by the voter device may be one of the redundant messages or assembled portions of the redundant messages. (Col. 3 lines 14-23)

More specifically, Hargrave teaches receipt of frames of the redundant messages from the respective receivers, and the use of voting to determine reference frames to be used in the message output by the voting device. (Col. 3 lines 58-60 and Col. 4 lines 6-12). Frames in the messages are identified by frame numbers, so that redundant frames in the redundant messages received by the voting device are identified with the same frame number. (Col. 3 lines 36-39)

The frame numbers are assigned by a communication unit transmitting the same message to multiple receivers. (Col. 3 lines 36-39) The frame numbers assigned to the frames within the messages are maintained as unique by assigning frame numbers for more frames than could be transmitted during the largest differential delay in the communication system. (Col. 3 lines 40-44) The differential delay is defined by

Hargrave as "delays between reception of the same frame or message from different receivers." (Col. 1 lines 32-34) In other words, Hargrave teaches assignment of enough different frame numbers so that none of the different messages currently being transmitted will have the same frame numbers.

The messages output by the voting device of Hargrave are triggered by a criterion established for each of the messages. (Col. 4 lines 13-17) Hargrave teaches that the criterion can be a determined period of time or a determined number of frame votings. (Col. 3 lines 61-63 and 67 and Col. 4 lines 1-4) Accordingly, the voting device will continue to receive and vote redundant frames until either a determined period of time is reach, or until a determined number of redundant frames are voted. (Col. 4 lines 18-23)

However, Hargrave fails to teach, suggest or disclose that a frame number is determined based on the reference clock timing which is adjusted by an expected delay time which is equal to or larger than a maximum transmission delay of the frame as disclosed by Claims 5 and 11. In addition, there is nothing in Hargrave that teaches, suggests or discloses the frame extraction controller as recited in Claims 6, 12 and 25 for extracting a received frame having a frame number identified based on the reference clock timing which is retrospectively adjusted by an expected delay time which is equal to or larger than a maximum transmission delay of the received frame. Further, Hargrave fails to teach, suggest or disclose a frame synchronizer for executing a frame synchronization adjustment based on a frame number of a frame as disclosed by Claim 17. Hargrave also fails to teach, suggest or disclose adjusting synchronization of an uplink frame on the basis of an estimated delay due to communication between a base station and a switching center and a frame number added to the received uplink frame by the switching center as described in Claim 60.

For at least the foregoing reasons, Applicants respectfully request removal of the 35 U.S.C. §102(e) rejection of claims 5, 6, 11, 12, 17, 25 and 60. Applicants believe that claims 5, 6, 11, 12, 17, 25 and 60 are allowable and that this application is in condition for allowance. Accordingly, it is respectfully requested that the Examiner so find and issue a Notice of Allowance in due course. Should the Examiner deem a telephone conference to be beneficial in expediting allowance of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed

below. No fees are believed to be due at this time, however, should any fees be deemed required, please charge such fees therefor to Deposit Account No. 23-1925.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tadashi Horie", written in a cursive style.

Tadashi Horie
Attorney Reg. No. 40,437

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200